



RECEIVED

JAN 30 2004

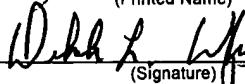
Atty. Dkt. No. 026063-1901

DAC/ #
19

OFFICE OF PETITIONS
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Carl W. Fuller
Title: DERIVATIVES OF 7-DEAZA-2'-
DEOXYGUANOSINE-5'-
TRIPHOSPHATE, PREPARATION
AND USE THEREOF
Appl. No.: 09/045,732
Filing Date: 3/20/98
Examiner: M. Moran
Art Unit: 1631

CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.

Deborah L. Wykes
(Printed Name)

January 22, 2004
(Date of Deposit)

PETITION FOR REVIVAL OF APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.17(m)

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on October 8, 2002, which set a three-month period for response due January 8, 2003. The required response is attached in the form of a previously submitted Request for Continued Examination and Amendment filed on August 7, 2003.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Required reply and/or fee;
- (2) Petition fee (37 C.F.R. § 1.17(m));
- (3) Statement that the abandonment was unintentional; and
- (4) Any required terminal disclaimer (37 C.F.R. § 1.137(c)).
- (5) Petition fee (37 C.F.R. § 1.17(m))

Please charge the amount of \$1,330.00 to Deposit Account No. 50-0872 for the amount stated in 37 C.F.R. § 1.17(m) to cover the fee for this petition.

01/28/2004 YPOLITE1 00000050 500872 09045732

01 FC:1453 1330.00 DA

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872.

(6) Statement that the abandonment was unintentional.

Applicant hereby states that the entire delay in filing the required reply, from the due date for the reply until the filing of this petition, was unintentional.

(7) Any required terminal disclaimer (37 C.F.R. § 1.137(c)).

No terminal disclaimer is required in this application under 37 C.F.R. § 1.137(c) since this application was not filed before June 8, 1995.

Respectfully submitted,

Date January 22, 2004

By Wesley B. Ames

FOLEY & LARDNER
P.O. Box 80278
San Diego, California 92138-0278
Telephone: (858) 847-6714
Facsimile: (858) 792-6773

Wesley B. Ames
Attorney for Applicant
Registration No. 40,893